MEMORANDUM

March 30, 1964

TO: J. Lee Rankin
General Counsel

FROM: Burt W. Griffin

RE: Statements and Testimony of Sgt. P. T. Dean, Dallas Police Department.

Dean's testimony presents questions of credibility with respect to two matters:

(1) whether or not Ruby told Dean some time before 1 P.M. on November 24, in Ruby's jail cell, that Ruby had walked down the Main Street ramp into the jail basement and,

(2) whether or not Ruby told Dean at the same time that he had thought about killing Oswald when Oswald was seen in the press conference with Henry Wade on Friday night.

Background on Dean.

Sgt. Dean had personal control over the search of the basement area on Sunday morning. He had not been on duty either Friday or Saturday. He testified on deposition to having personally checked all the doors and elevators entering into the basement and to having stationed the guards at the particular spots on the ramp. He testified that he did not see Ruby enter the basement, but that he did see Ruby standing by the railing along the Main Street ramp near the TV cameras shortly before moving forward to shoot Oswald.

When the shooting occurred, Dean said he ran to the scuffle and followed Ruby and Oswald back into the jail office. He remained there a short time and then came outside into the ramp area of the basement where he was interviewed by a TV newsman. This interview was broadcast simultaneously on nationwide TV and Dean stated at that time that the man who shot Oswald was known to the Police Department.

Dean then stated in his deposition that he went upstairs to the third floor and met Chief Curry and Forrest Sorrells. When asked why he was going to the third floor (since his own department is located on the second floor) he responded that he was going to ask Chief Curry if he should give the news people any further information. However,

he did not ask this question of Curry when he saw him and instead went upstairs to the fifth floor with Sorrells. Sorrells corroborates that this trip was made at the request of Chief Curry. Sorrells places the time between 12:00 and 12:30 P.M.

The questionable elements in the various statements, interviews and depositions that have taken place with Dean occur in connection with the trip with Sorrells to see Ruby. Our file in Dallas contained a copy of a letter addressed from Dean to Chief Curry dated November 26, an official FBI interview report conducted on December 2, and a copy of a letter from Dean to Chief Curry dated February 18, 1964. (Upon further reflection after returning to Washington, I seem to recall that there may also be in our files a copy of a letter to Chief Curry or a report by investigating officers of the Dallas Police Department dated November 30, which also covers the conversations with Ruby in the jail cell. It is my recollection that the November 30th letter or report and the November 26th letter are substantially identical on the questioned statements of Ruby.)

In the November 26th letter, Dean stated that Ruby told him in the presence of Sorrells he came down the Main Street ramp. He made no mention of Ruby's also saying that he thought about killing Oswald two nights prior to the shooting or any other statements indicating premeditation. (H.S.325-26) It is possible that the date November 26 is the date the letter was typed. However, I questioned Dean carefully about his activities on November 24 and he did not mention dreafing a report of his interview with Ruby. The FBI interview of December 2 contains similar statements and omissions and amplifies the story of coming down the Main Street ramp. (H.S.94-99) The February 18th letter repeated the story about Ruby's coming down the Main Street ramp, but for the first time included a number of statements concerning incriminating statements by Ruby with respect to premeditation. This letter of February 18 was first presented to us by Mr. Dean at the deposition.

Mr. Hubert and I first became aware that Dean was alleging that Ruby made statements with respect to premeditation when Dean testified at the Ruby trial. He was quoted in the papers as testifying at trial that Ruby thought about killing Oswald two nights before the shooting. When Mr. Hubert and I read this newspaper article we both checked our file and could find no mention of such a statement to Dean in any existing materials which we had with respect to Dean. Mr. Hubert and I brought this fact to the attention of either Mr. Willens or Mr. Rankin since we believed that the Commission should consider whether we had an obligation to make such discrepancies available to the defense. It is my recollection that a memorandum was prepared on this topic; however, I have not been able to find a copy of this memorandum in my file although this memorandum may be available in Mr. Hubert's files which are locked in his desk drawer.

It is my opinion that Dean's letter of February 18 and his testimony at trial resulted from an effort by me to discover if Sorrells had been present, as alleged by Dean, when Ruby made the statement to Dean about coming down the ramp. In late January or early February I noticed a contradiction between Dean's letter of November 26 to Curry and FBI agent Hall's report of an interview which he had with Ruby immediately after Sorrells and Dean were present. Hall specifically asked Ruby in his interview how Ruby got into the basement. Hall reports that Ruby refused to answer that question. I thus became interested in finding out if Sorrells heard Ruby make the statement which Dean alleged that he made before Hall interviewed him. Sorrells had not submitted a report to us.

SA John Joe Howlett of the Secret Service was in our office at the time that this question arose. Howlett called Sorrells and I talked with Sorrells in Dallas. I asked him what his conversation was with Ruby and he recited from his notes the things Ruby had told him. There was nothing in the notes about the two suspect statements which Dean has attributed to Ruby. I then asked Sorrells if he remembered what Police officers were present and he said he did not. I then mentioned that officer Dean had claimed Sorrells was present when Ruby said he came in through the Main Street ramp. Sorrells told me that Ruby might have made such a statement but he certainly didn't remember hearing it. Sorrells said he first heard that statement from Ruby later on November 24 in Captain Fritz's office. On February 4 Sorrells forwarded to us a report setting forth his recollection of his interview with Ruby a few minutes after the killing.

Sorrells told me in Dallas on March 25 that between the time I telephoned him and he mailed the memorandum dated February 4, he called someone at the Dallas Police Department to find out who was present at the time he interviewed Ruby. I think it is a likely possibility that Sorrells' telephone call triggered further inquiry by the higher-ups at the Police Department of Dean resulting in Dean's letter of February 18.

It is significant, I think, that when I asked Dean on deposition if he had any additions or corrections to make in the documents which we had in our file, he voluntarily brought forth from his pocket a copy of his February 18th statement. I am therefore inclined to think that our file is now complete with respect to Dean except for certain other papers and recordings which I asked him to turn over to us and which I would not have expected him to think of producing otherwise.

Continuing with his deposition, I asked Dean what he did after Sorrells left. He said he immediately went downstairs and drove to Parkland Hospital. He said he had no special assignment at Parkland Hospital but went there on his own initiative. He had not previously reported this. When he arrived at Parkland Hospital, he went to see Marguerite Oswald. Two Secret Service agents were present with her. Dean had no apparent business there. He states that he took Marguerite

into the mortuary to view the body of her son. He stated that thereafter he received a telephone call from his superior officer, Lt. Pierce, and was directed to return to the Police Department.

I asked Dean if he told Lt. Pierce about his interview with Ruby when he returned. My recollection of the deposition at this point is somewhat faulty since I do not recall whether Dean said he did not tell Lt. Pierce about Ruby's statements or that Lt. Pierce did not act upon what he told him. In any event, I proceeded to question him as to whether or not he talked to Officer Vaughn (the man who guarded the Main Street entrance) on November 24. Again my recollection is faulty as to whether he said that he did not talk to Vaughn or that he could not remember. In any event, after further questioning he stated that he did talk with Vaughn and that Pierce started an investigation with respect to the Main Street ramp at that point. On checking the FBI report of December 2, I find that Dean's conversation with Vaughn allegedly occurred prior to visiting Ruby.

Somewhere during the afternoon of November 24th, Dean also gave a tape-recorded interview to a local radio station and was interviewed by newspaper reporters. This information was brought out for the first time in the deposition; however, I forgot to ask him if he obtained permission from Chief Curry to talk to these newspaper people at that time. He did not indicate to me that such permission had been obtained.

As a result of the newspaper interviews on November 24, Dean was quoted in the Dallas Times Herald on December 8 as having stated that he saw Ruby walk down the Main Street ramp. The interview took place at the top of the Commerce Street ramp, exact time unclear. The interviewer, David J. Hughes of the Dallas Times Herald explained to the FBI on December 8 that Dean "intimated or said something to the effect that Ruby must have walked down the Main Street ramp". (Quotes are from FBI report and not directly of Hughes or Dean) Hughes did not indicate that Dean told him that he had talked with Ruby. The significant point is however, that by the time Dean made his first written report to Chief Curry concerning the Ruby interview (dated November 26 or November 27) Dean had committed a serious indiscretion. The obvious question is thereby presented: Why did Dean find more urgency in disclosing his information to the press than he did to his superior officers?

Although my original conclusion concerning Dean's truthfulness was based solely on the contradiction between his report and the report of Agent Hall plus the failure of Sorrells to corroborate Dean, I have noticed in preparing this memorandum that there is a similar pattern of failure to report in the statements of T. D. McMillon who was also present at the Sorrels and Hall interviews. In McMillon's report originally written on November 24th, but not typed until November 27, he made no mention of any statements which Ruby made to him while Dean, Sorrells or Hall were present. In fact he made no mention of any statements made by Ruby after

McMillion escorted him to his fifth floor jail cell. On November 29th he stated to the FBI that Ruby had told him that he came down the Main Street ramp. McMillion did not mention that Dean was present nor did he state, as Dean has stated, that Dean elicited this information from Ruby. In fact the FBI report would seem to indicate that McMillion elicited the information from Ruby. Officer Clardy would also have been present at this time; however, I have not examined his reports in this particular.

Further examination and investigation with respect to Dean (and McMillion) seems warranted. It would seem that, at this point, Dean is compelled to fall back on the reliability of his statement that he reported Ruby's statements to Officer Pierce immediately upon his return to the Police Station in the afternoon of November 24th. If Pierce or other attendant circumstances do not support this claim (it will be important to determine when Officer Vaughn was first questioned by Officers other than Dean about the allegations that Ruby came down the Main Street ramp), it would appear that Dean is in all probability not telling the truth with respect to Ruby's statement.

If Dean is not telling the truth concerning the Ruby statement about coming down the Main Street ramp, it is important to determine why Dean decided to tell a falsehood about the Main Street ramp. Dean either actually saw Ruby come down the Main Street ramp, heard from homicide detectives or other persons in Captain Fritz' office that Ruby had made this statement, or told Ruby that he came down the Main Street ramp and Ruby latched on to it. Dean stated to me that he would have no desire to put the finger on Officer Vaughn, however, Dean might well do such a thing to protect himself.

Three explanations seem possible to me. One is that Dean's original source of information is homicide detectives and that he continued to insist that Ruby had told him this because he wanted to protect himself against the statement he made in the press. I do not think that this is the strongest possibility because if Dean had actually heard it from homicide detectives, it would have been a simple matter for him to say that that is where he heard it. The second possibility is that Dean did see Ruby come down the Main Street ramp. I do not think that he did see him come down the Main Street ramp because, if that had been the case, I think that he would have questioned Officer Vaughn more forcefully about it. The third possibility and one which I consider most likely, is that Ruby came in by another entrance to a point where Dean could have stopped him and that Dean, having been directly responsible for all basement security, is trying to conceal his dereliction of duty. For example, the rumor most prominently circulated after the shooting seems to have been that Ruby helped push a TV camera to the basement. This TV Camera would have been pushed right past Dean's position and Dean might have recognized Ruby since he had met Ruby in the past. This allegation needs to be explored more thoroughly. If it is true, I am inclined to believe that Dean's purpose in immediately going to the third floor was to find Ruby at homicide, where he would have expected that Ruby was being questioned.

Confronted by Curry first, Dean instead was steered up to the fifth floor where he may have simply stated to Ruby he came down the Main Street ramp. Ruby being a cultivator of police favor and not being desirous of incurring the wrath of the Police Department might well have taken the hint from Dean.

In order to fully evaluate the testimony of Dean, I think the following steps must be taken.

1. We must obtain certain documents which Dean is going to turn over to us in Dallas on Tuesday.

2. We must critically examine his deposition and all the statements he had made.

3. We must determine when Officer Vaughn was first questioned by the Dallas Police Department. I do not believe that Vaughn would be inclined to protect Dean by making a false statement as to when questioning of him began.

4. We should determine from Lt. Pierce if Dean informed him of Ruby's statement on November 24th.

5. We should obtain the original notes from newspaperman Hughes plus information from other newsmen who interviewed Dean on November 24.

Griffin/jv/3-30-64
CC: Griffin chron file
Mr. Willens